

REMARKS

Reconsideration of this application, based on the foregoing amendment and these remarks, is respectfully requested.

Claims 1 through 21 are now in this case. Claims 1, 6, 11, 15, and 16 are amended in this paper. Claims 17 through 21 are added.

Each of independent claims 1, 6, 11, 15, and 16 are amended to more completely cover all aspects of Applicants' invention. This amendment cancels, in each claim, the last element or step regarding the indicating that an anomaly lacks a known characteristic corresponding to a result in the library, if the wavelet analysis result of the TDR signal does not correspond to a reference wavelet analysis result. Each of these claims is also amended to more clearly recite the responsive nature of the indicating relative to the corresponding of the wavelet analysis result to a reference wavelet analysis result. No new matter is presented by this amendment to these claims.

Dependent claims 17 through 21 are added to recite the element canceled from each of the independent claims in this paper. New claims 17 through 21 are dependent on amended claims 1, 6, 11, 15, and 16, respectively. Because these new claims present an element or step previously present in an independent claim, no new matter is presented.

Claims 1 through 16 stand rejected under §102(e) as anticipated by, or under §103 as unpatentable over, the Bechhoefer et al. reference¹.

Applicants submit, with this paper, the Declaration Under Rule 131 (the "Wills Declaration"), executed by Kendall Scott Wills, one of the named inventors in this application. That Declaration establishes, with reference to numerous pages of an engineering notebook prepared by Applicant Dockins, the conception and reduction to practice of this invention from a

¹ U.S. Patent Publication No. 2004/0230282, published November 18, 2004, on an application filed May 12, 2003 by Bechhoefer et al.

time at least as early as May 12, 2003, which is the effective date of the Bechhoefer et al. reference.

In the Office Action of October 5, 2005, the Examiner asserted that the previously submitted Declaration Under Rule 131 was ineffective to remove the rejection, because the evidence presented does not show any dates, nor was it clear how the evidence teaches the claimed subject matter.

The pages of the engineering notebook submitted as Exhibit A of the Wills Declaration show the location of those pages at which dates were present in the original, by redacting those dates with a black marker (rather than by whiting-out, as was done in the previous Declaration). As such, the pages of Exhibit A now clearly show that each page was in fact dated; the Wills Declaration also establishes that these pages were prepared at least as early as the effective date of the Bechhoefer et al. reference.

Furthermore, also submitted with this paper is the Declaration of Susie Collins. Ms. Collins is currently employed by Texas Instruments Incorporated. As established by her Declaration, Michael Dockins' employment at Texas Instruments Incorporated predates May 12, 2003, which is the effective date of the Bechhoefer et al. reference. The Wills Declaration establishes that these pages were prepared by Michael Dockins during his employment at Texas Instruments Incorporated.

Therefore, based on the Wills Declaration, as corroborated by the Declaration of Susie Collins, Applicants submit that they have established that the dates of the documents submitted as Exhibit A are at least as early as May 12, 2003.

Applicants further wish to discuss how the contents of the Wills Declaration, particularly its Exhibit A, teach the claimed subject matter. With respect to claim 1, for example, page 15 and pages 61 through 65 of Exhibit A clearly teaches the concept of a library of one or more reference wavelet analysis results that each correspond to one or more known anomalies having one or more known characteristics. With respect to the functions of the analysis module, pages 14 and 61 through 65 clearly teach the receipt of a TDR signal reflecting back up a wire from an

anomaly. Pages 40 through 45, and 61 through 65, teach the calculating of wavelet analysis results from wavelet analysis of the TDR signal, and the accessing of the library of reference wavelet analysis results to compare the results thereto. Pages 54 through 59, and 61 through 65, teach the indicating that an anomaly has a characteristic of one or more known anomalies corresponding to the one or more particular reference wavelet analysis.

Applicants further respectfully submit that these pages of Exhibit A to the Wills declaration similarly correspond to the requirements of each of the independent claims, and also show conception and reduction to practice of the dependent claims in similar fashion.

For these reasons, Applicants submit that the Wills Declaration, as corroborated by the Declaration of Susie Collins, establish that Applicants conceived and reduced to practice the invention of independent claims 1, 6, 11, 15, and 16 prior to the effective date of the Bechhoefer et al. reference. Accordingly, Applicants submit that the Bechhoefer et al. reference is not prior art against the claims now in this case.

Claims 1 through 3, 5 through 8, 10 through 12, and 14 through 16, were also provisionally rejected under the doctrine of double patenting of the obviousness type relative to corresponding claims of copending and commonly assigned application S.N. 10/749,885. Applicants offer to provide the appropriate terminal disclaimer in this case, or in that copending and commonly assigned application, as appropriate for the claims now in this case or in that case, at such time as this case or that case is allowed.

For the above reasons, Applicants respectfully submit that all claims now in this case are in condition for allowance. Entry of this amendment in, and favorable consideration of, this application in its continued examination are respectfully requested.

Respectfully submitted,
/Rodney M. Anderson/
Rodney M. Anderson
Registry No. 31,939
Attorney for Applicants

Anderson, Levine & Lintel, L.L.P.
14785 Preston Road, Suite 650
Dallas, Texas 75254
(972) 664-9554